THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24521 OF 2005

ORDER:

The petitioner herein claims to be the authorized dealer of the fair price shop at Sadasivpet Town. It is stated that he was appointed in the year 1981 and is holding a valid authorization as of today.

This writ petition is filed aggrieved by the action of the 2nd respondent - Mandal Revenue Officer, Sadasivpet, in not releasing the essential commodities to the petitioner for the month of November, 2005, for supply to the cardholders. The writ petitioner contends that the said action of the 2nd respondents is arbitrary and illegal, since the authorization of the petitioner is neither suspended nor cancelled.

This Court while directing *Rule Nisi*, by order dated 30.11.2005 directed the respondents to release the essential commodities, including kerosene, for the month of November, 2005 and continue to supply the essential commodities, provided the authorization of the petitioner is subsisting.

The learned counsel for the petitioner states that in pursuance of the said order the essential commodities are being released and the petitioner is continuing as the fair price shop dealer as on today.

Though no counter-affidavit has been filed on behalf of the respondents, having regard to the nature of the controversy involved, and since the law is well settled that the respondents are not entitled to withhold commodities for supply to the cardholders if the fair price shop dealer is holding a valid authorization, I deem it appropriate to dispose of the writ petition maintaining the interim order granted on 30.11.2005 in W.P.M.P.No.31522 of 2005.

Accordingly, the writ petition is disposed of with a direction to the respondents to release the essential commodities, including kerosene, to which the petitioner is entitled, for supply to the cardholders in respect of the fair price shop at Sadasivpet Town, as long as the petitioner is holding a valid authorization. No costs.

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(G. ROHINI, J.)

25th January, 2006.

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24521 OF 2005

25th January, 2006.

Between:

L. Satyanarayana. .. Petitioner.

And

The Revenue Divisional Officer,

Sangareddy, Medak District and

Another. .. Respondents.